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DAVID J. PALIOTTI
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August 21, 2006

FOR ELECTRONIC FILING

Civil Clerk
United States District Court for
The District of Massachusetts
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

RE: Fred T. Van Dam, Trustee of 105 Holmes Avenue Realty Trust v. David M. McSweeney, Trustee of MC Realty Trust, et. al.
Docket No. 04-12654-RGS

Dear Sir/Madam:

Enclosed for filing with respect to the above-referenced matter, please find Joint Stipulation Regarding Release of Portion of Escrowed Funds and Reopening of Case.

If you have any questions or I can be of further service, please do not hesitate to contact me.

Thank you for your continued courtesy and cooperation.

Very truly yours,



David J. Paliotti

DJP/jms
Enclosure
cc: Counsel of Record
David M. McSweeney

UNITED STATES OF DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FRED T. VAN DAM,
Plaintiff

Case No. 04-12654-RGS

v.

DAVID M. MCSWEENEY,
Trustee of MC Realty Trust;
ROCKLAND LEASE FUNDING
CORP.; UNITED STATES OF
AMERICA; and GENERAL
ELECTRIC COMMERCIAL
EQUIPMENT FINANCING,
Defendants

**JOINT STIPULATION REGARDING RELEASE OF PORTION
OF ESCROWED FUNDS AND REOPENING OF CASE**

Now come the remaining parties in the above-captioned matter and hereby stipulate and agree to the following:

1. The above-captioned matter, which was closed by the Clerk's Office on March 2, 2006 pursuant to an Order by the Court (Stearns, J.) dated October 28, 2005, should be re-opened for the purpose of determining the respective rights as between Defendant David M. McSweeney, Trustee of MC Realty Trust, and Defendant United States of America to the funds deposited with the Court in this Interpleader Action, after taking into consideration the release of a portion of the said funds as set forth below.

2. Defendant Rockland Lease Funding Corp. ("Rockland") hereby agrees to accept the sum of \$30,000.00 from the funds currently on deposit with the Court in full

and final satisfaction of any and all claims which it may have to the aforesaid funds, which funds constitute the surplus sales proceeds from a foreclosure sale conducted by the Plaintiff.

3. All of the parties hereto are in agreement that the sum of \$30,000.00, without interest, may and shall be released to Rockland in exchange for Rockland waiving any rights to the balance of the escrowed funds as aforesaid.

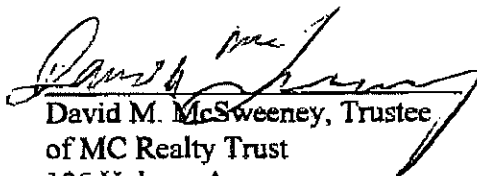
4. Defendant General Electric Commercial Financing hereby withdraws any claim to the escrowed funds.


5. Based upon the foregoing, the only parties in interest in this matter will be the United States of America and David M. McSweeney, Trustee of MC Realty Trust, once the \$30,000 referenced above has been released by the Court to Rockland.

Respectfully submitted,

DAVID M. MCSWEENEY,
TRUSTEE OF MC REALTY
TRUST,
Pro Se,


ROCKLAND LEASE FUNDING
CORP.,
By its attorney,

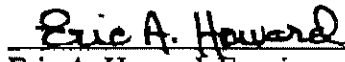

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UNITED STATES OF AMERICA,
By its attorney,

GENERAL ELECTRIC
COMMERCIAL EQUIPMENT
FINANCING,
By its attorney,


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